

Nicholas J. Santoro, Esq. (NBN 532)
 Jason D. Smith, Esq. (NBN 9691)
 SANTORO WHITMERE
 10100 W. Charleston Blvd., Suite 250
 Las Vegas, NV 89135
 Tel.: (702) 948-8771
 Email: nsantoro@santoronevada.com
jsmith@santoronevada.com

Jonathan E. Moskin, Esq.
(Admitted pro hac vice)
 FOLEY & LARDNER LLP
 90 Park Avenue
 New York, NY 10016
 Tel.: (212) 682-7474
 Email: jmoskin@foley.com

Jean-Paul Ciardullo, Esq.
(Admitted pro hac vice)
 FOLEY & LARDNER LLP
 555 S. Flower St., Suite 3300
 Los Angeles, CA 90071
 Tel.: (213) 972-4500
 Email: jciardullo@foley.com

Attorneys for Plaintiff
Herman Miller, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HERMAN MILLER, INC.,)	Case No.: 2:20-cv-01480-APG-BNW
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER TO SET
)	NEW CASE DEADLINES
SKY ENTERPRISES, INC. dba LAURA)	
DAVIDSON FURNITURE; and DAVID)	
KROSKY a/k/a DAVE MCBRIDE,)	
)	
Defendants.)	

Plaintiff Herman Miller, Inc. (“Plaintiff”) and Defendants Sky Enterprises, Inc. dba Laura Davidson Furniture and David Krosky (collectively, “Defendants”), by and through their

1 respective counsel of record, hereby respectfully submit this Stipulation and Proposed Order to set
2 new deadlines in this case.

3 By a Joint Stipulation (ECF No. 49) that the Court granted on November 2, 2021 (ECF No.
4 50), then-pending case deadlines were stayed pending a settlement conference with Magistrate
5 Judge Weksler. In the event no settlement occurred, the parties agreed and the Court ordered that
6 the parties submit a proposed new case schedule. There was no settlement during the two sessions
7 with Judge Weksler on November 22 and 29, and so Judge Weksler concluded the proceedings
8 (ECF No. 57). However, the parties have now scheduled a further private mediation with former
9 District of Nevada Magistrate Judge Peggy A. Leen for December 10, 2021. In view of all the
10 foregoing, the parties propose the following schedule. The parties will also report back to the
11 Court immediately following the conclusion of the mediation with Magistrate Judge Leen.

12	Event	Proposed Deadline
13	Stay Lifted	January 3, 2022
14	Defendants' Responsive Claim Construction Brief per 15 Local Patent Rule 1-16	January 10, 2022
16	Plaintiff's Reply Claim Construction Brief per Local 17 Patent Rule 1-16	January 24, 2022
18	Claim Construction Hearing	TBD based on Court's availability
19	Post-Claim Construction Amendment Procedures and 20 Disclosure of Opinions of Counsel per Local Patent 21 Rules 1-18(a), (b); 1-19	Within 30 days of Claim Construction Ruling
22	Close of balance of Fact Discovery	February 7, 2022
23	Opening Expert Reports	March 7, 2022
24	Rebuttal Expert Reports	April 4, 2022
25	Close of Expert Discovery	April 25, 2022
26	Dispositive Motions Filing Deadline	May 9, 2022
27	Dispositive Motions Oppositions Deadline	June 10, 2022
28	Dispositive Motions Reply Deadline	June 24, 2022

Depending on the timing of the Claim Construction Hearing and the resulting Claim Construction Ruling, the Parties note that a further request to the Court might be appropriate to modify the latter portion of the proposed schedule above concerning expert reports and dispositive motions.

IT IS SO AGREED AND STIPULATED:

DATED this 6th day of December, 2021.

FOLEY & LARDNER LLP

/s/ Jean-Paul Ciardullo

Jean-Paul Ciardullo, Esq.

(Admitted pro hac vice)

555 S. Flower St., Suite 3300

Los Angeles, CA 90071

Tel.: (213) 972-4500

Email: jciardullo@foley.com

Jonathan E. Moskin, Esq.

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90 Park Avenue

New York, NY 10016

Tel.: (212) 682-7474

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SANTORO WHITMIRE

Nicholas J. Santoro, Esq. (NBN 532)

Jason D. Smith, Esq. (NBN 9691)

10100 W. Charleston Blvd., Suite 250

Las Vegas, NV 89135

Tel.: (702) 948-8771

Email: nsantoro@santoronevada.com

jsmith@santoronevada.com

Attorneys for Plaintiff

DATED this 6th day of December, 2021.

DICKINSON WRIGHT PLLC

/s/ John L. Krieger

John L. Krieger, Esq. (NBN 6023)

Tenesa S. Powell, Esq. (NBN 12488)

Caleb L. Green, Esq. (NBN 15234)

3883 Howard Hughes Parkway, Suite 800

Las Vegas, NV 89169-0965

Tel.: (702) 550-4400

Email: jkrieger@dickinsonwright.com

tpowell@dickinsonwright.com

cgreen@dickinsonwright.com

Franklin M. Smith, Esq.

(Admitted Pro Hac Vice)

Email: fsmith@dickinsonwright.com

2600 W. Big Beaver Rd, Suite 300

Troy, Michigan 48084

Tel.: (248) 433-7393

GILE LAW GROUP LTD.

Ryan Gile, Esq. (NBN 8807)

1180 N. Town Center Drive, Suite 100

Las Vegas, NV 89144

Tel. (702) 703-7288

Email: rg@gilelawgroup.com

Attorneys for Defendants

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: December 7, 2021